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In re Application of : **OFFICE OF PETITIONS**
Maenpaa : DECISION ON PETITION
Application No. 09/894,803 :
Filed: June 29, 2001 :
Atty. Dkt. No.: TU1.P29 :
:

This decision is in response to the petition under 37 CFR 1.137(b), filed November 29, 2004.

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application became abandoned June 9, 2004 for failure to timely submit a proper reply to the final Office action mailed March 8, 2004. The final Office action set a three (3) month shortened statutory period of time for reply. No petition for extension of time under 37 CFR 1.136(a) was submitted. Notice of Abandonment was mailed October 1, 2004.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to paragraph (d) of this section.

The instant petition has been reviewed and found in compliance with the provisions of 37 CFR 1.137(b). Accordingly, the failure to timely reply to the final Office action mailed March 8, 2004 is accepted as having been unintentionally delayed.

This application file is being forwarded to Technology Center 3700 for processing of the RCE submitted herewith.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3205.

Alesia M. Brown
Petitions Attorney
Office of Petitions